

## ORDINANCE NO. 116-13

BY: **BRIAN DAY**  
(By Request – Safety Director)

AN ORDINANCE TO AMEND SUBSECTION (d) OF SECTION 351.13 “PARKING OF COMMERCIAL AND HEAVY VEHICLES” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That subsection (d) of Section 351.13 “Parking of Commercial and Heavy Vehicles” of the Codified Ordinances of the City of Parma, which presently reads as follows:

“351.13 PARKING OF COMMERCIAL AND HEAVY VEHICLES.

... .

(d) The parking of commercial vehicles on private property in a residential district shall be regulated as follows:

(1) Delivery of merchandise. The parking of commercial vehicles on private property zoned for residential use for the purpose of delivering merchandise shall be limited to the minimum time period required in the usual course of business for making of such delivery.

(2) Overnight parking. Only one commercial vehicle not exceeding a gross weight of 8,500 pounds or an overall height of 82 inches may be parked overnight per dwelling unit. The term “dwelling unit” shall have the same meaning as in Section 1121.12 of these Codified Ordinances. Such vehicles must be parked either in an enclosed garage or on a hard-surfaced driveway or turnabout to the rear of the front setback line of the private property. In addition to the above restrictions, there shall be no overnight parking of the following commercial vehicle types:

- A. Tow trucks;
- B. Dump trucks;
- C. Flat-bed trucks;
- D. Tractor or semi-tractor trailer trucks;
- E. Stake bed trucks;
- F. Box trucks;
- G. Any vehicle, including buses, with a dual set of rear wheels; or
- H. Any vehicle transporting hazardous or flammable materials beyond what would be normally required to propel that type of vehicle.

(3) Penalty. Whoever violates division (d) of this section is guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.”

... .

**is hereby amended to read as follows:**

“351.13 PARKING OF COMMERCIAL AND HEAVY VEHICLES.

... .

(d) The parking of commercial vehicles on private property in a residential district shall be regulated as follows:

Pg. 2 of L-116-13    Ord. to amend subsection (d) of Section 351.13 "Parking of Commercial and Heavy Vehicles" of the Codified Ordinances of the City of Parma, and declaring an emergency

(1)    ~~Delivery of merchandise.~~ The parking of commercial vehicles on private property zoned for residential use for the purpose of delivering merchandise shall be limited to the minimum time period required in the usual course of business for making of such delivery.

(2)    ~~Overnight parking.~~ Only one commercial vehicle not exceeding a gross weight of 8,500 pounds or an overall height of 82 inches may be parked ~~overnight~~ per dwelling unit. The term "dwelling unit" shall have the same meaning as in Section 1121.12 of these Codified Ordinances. Such vehicles must be parked either in an enclosed garage or on a hard-surfaced driveway or turnabout to the rear of the front setback line of the private property. In addition to the above restrictions, there shall be no ~~overnight~~ parking of the following commercial vehicle types:

- A.    Tow trucks;
- B.    Dump trucks;
- C.    Flat-bed trucks;
- D.    Tractor or semi-tractor trailer trucks;
- E.    Stake bed trucks;
- F.    Box trucks;
- G.    Any vehicle, including buses, with a dual set of rear wheels; or
- H.    Any vehicle transporting hazardous or flammable materials beyond what would be normally required to propel that type of vehicle.

(3)    ~~Penalty.~~ Whoever violates division (d) of this section is guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues."

...

Section 2. That only subsection (d) of Section 351.13 "Parking of Commercial and Heavy Vehicles" of the Codified Ordinances of the City of Parma, as it existed heretofore, is hereby repealed.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order to make this amendment to Section 351.13 of the Codified Ordinances of the City of Parma in the near future, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_ PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
                    CLERK OF COUNCIL

FILED WITH  
THE MAYOR: \_\_\_\_\_ MAYOR, CITY OF PARMA, OHIO